



Attorney Docket No. 44601.0164

2122
#8
T.D.
08/01/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Neuse and Braddock, Jr.

Application No. 09/753,192

Filing Date: December 30, 2000

Examiner:

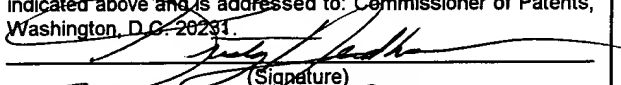
Group Art No.: 2122

For: OBJECT ORIENTED ADN AND METHOD OF CONVERTING
A NON-OBJECT ORIENTED COMPUTER LANGUAGE TO AN
OBJECT ORIENTED COMPUTER LANGUAGE

RECEIVED
JAN 25 2002
Technology Center 2100

Assistant Commissioner of Patents
Washington, D.C. 20231

I hereby certify that this paper or fee is being deposited with the United States Postal Service "FIRST CLASS MAIL TO ADDRESSEE" service under 37 C.F.R. 1.8 on or before the date indicated above and is addressed to: Commissioner of Patents, Washington, D.C. 20231.


(Signature)
January 2, 2002
(Date of Deposit)

Dear Sir:

PETITION TO CORRECT FILING DATE

Applicants request that the above identified application be accorded a filing date of December 30, 2000 rather than the presently accorded filing date of January 2, 2001.

Applicants assert that the application was deposited in Express Mail service on December 30, 2000. In support, this petition is accompanied by the following:

- 1) Copy of Express Mail receipt no. EL597197443US, showing a USPS postmark dated 30 December 2000; and
- 2) Affidavit of Attorney R. Scott Rhoades.

The above referenced application was deposited in Express Mail service on December 30, 2000. Mr. Rhoades personally placed the package in Express Mail service on that date (See Affidavit, paragraph 4). In support of this statement, several item must be considered. First, the Express Mail Certificate previously identified includes the attorney docket number of 013880.0063 which corresponds with the docket number enclosed on the above referenced application and on the compact discs included with the above referenced application (See Affidavit, paragraph 5). Therefore, the Express Mail Certificate containing the December 30, 2000 date contains the same unique identifier (Attorney docket number) as is included on the application received by the United States Patent and Trademark Office (USPTO). Further, the creation date listed on the compact discs is December 30, 2000. The compact discs were prepared on or before December 30, 2000, which can be verified upon examination of the content of the above referenced compact discs.

The U.S. Patent and Trademark Office has accorded the above referenced application a filing date of January 2, 2001, the date in which the application was received at the U.S. Patent and Trademark Office. Applicants note that December 31, 2000 was a Sunday and January 1, 2001, a Monday, was New Year's Day. No mail service was available either of these days. For the application to arrive by mail at the U.S. Patent and Trademark Office on January 2, 2001, the application must have been placed in the Express Mail service on December 30, 2000.

Applicant's acknowledge that the Express Mail number was not included as part of the above referenced application. However, Applicant's submit, that the above referenced evidence clearly establishes that the application was properly filed with the

Express Mail service at the U.S. Postal Service on December 30, 2000 and respectfully requests that the above referenced application be accorded the December 30, 2000 filing date.

Applicants believe that no fees are required in connection with this filing. However, to the extent that fees are required, the Commissioner is authorized to charge those fees, or credit any overpayment, to Account No. 19-4547.

Respectfully submitted,



George R. Schultz
Registration No. 35,674

Date: Jan 2, 2002

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